

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28157 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- LARJHAGHAT District- Samastipur

Gopal Mukhiya S/o Rajkumar Mukhiya @ Raj Kumar Mukhiya R/o Village-
Salhachandan, Ward- 07, P.S.- Larjhaghat, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

Ms. Mili Kumari, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner
and learned APP for the State.

2. The petitioner seeks bail in connection
with Larjhaghat P.S. Case No. 14 of 2025 instituted
for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act, 2022.

3. As per prosecution case, the police has
recovered total 45 liters of illicit country-made
liquor along with 2 gas cylinders, gas stove
including utensils from the bank of river. The
petitioner was arrested on spot.

4. Learned counsel for the petitioner
submits that the petitioner is innocent and has



committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that the recovery of illicit liquor has been made from the open place which is accessible to one and all. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 02.03.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on



furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Larjhaghat P.S. Case No. 14 of 2025.

(Rudra Prakash Mishra, J)

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